



Dale E. Barney
Director

Gibbons P.C.
One Gateway Center
Newark, NJ 07102-5310
Direct: 973-596-4557 Fax: 973-639-6234
dbarney@gibbonslaw.com

VIA ECF

September 13, 2021

Honorable Andre M. Espinosa, USMJ
United States District Court
Martin Luther King Jr. Courthouse
50 Walnut Street
Newark NJ 07102

RE: Discover Growth Fund, LLC v. Fiorino, et al.,
Civil Action No. 2:20-cv-00351 (CCC)(AME)

Dear Judge Espinosa:

We are counsel to Discover Growth Fund, LLC, the plaintiff in the captioned civil action. As I advised the Honorable Claire C. Cecchi, USDJ by letter dated July 16, 2021 which was copied to Your Honor, the parties achieved a global settlement of this and other actions in principle at a private mediation. That settlement is subject to final documentation acceptable to the parties and the approval of the United States Bankruptcy Court in the underlying bankruptcy cases of Immune Pharmaceuticals, Inc. and affiliates, Case No. 19-13273 (VFP). Once finalized, this settlement shall resolve all matters pending in the captioned matters, inclusive of all pending motion practice.

Pursuant to the Court's "So Ordered" notation dated July 30, 2021 on my letter to Your Honor dated July 29, 2021, the deadline for the parties to file motions to amend pleadings or add parties is today. I write to respectfully request that Your Honor extend that deadline for another 45 days, or until October 28, 2021 by "So Ordering" this letter to permit the parties to finalize the settlement. If the Court prefers that we submit a formal order, please have chambers so advise. Counsel to the defendants, copied below, consents to this request. As always, we appreciate the Court's time and attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "DEB", is written over a horizontal line.

Dale E. Barney
Director

Cc: John E. Jureller, Jr., Esq. (via email and ECF)